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# HOUSE BILL No. 1109

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-43-5.5.

**Synopsis:** Commercial bribery. Establishes the crime of commercial bribery, a Class A misdemeanor. Makes the offense a Class D felony if the fair market value of the property involved is more than \$2,500.

**Effective:** July 1, 2004.

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**Ulmer**

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January 13, 2004, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1109

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-43-5.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]:

4 **Chapter 5.5. Commercial Bribery**

5 **Sec. 1. A person who:**

6 **(1) solicits, accepts, or agrees to accept property with intent**  
7 **to violate a duty of fidelity to which the person is subject as:**

8 **(A) partner, agent, or employee of another;**

9 **(B) trustee, guardian, or other fiduciary;**

10 **(C) attorney, physician, accountant, appraiser, or other**  
11 **professional adviser or informant;**

12 **(D) officer, director, manager, or other participant in the**  
13 **direction of the affairs of an incorporated or**  
14 **unincorporated association; or**

15 **(E) judge, arbitrator, or other purportedly disinterested**  
16 **adjudicator or referee;**

17 **(2) knowingly or intentionally:**

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1 (A) represents to the public that the person is engaged in  
2 the business of making disinterested selection, appraisal, or  
3 criticism of commodities or services; and  
4 (B) solicits, accepts, or agrees to accept property to  
5 influence the person's selection, appraisal, or criticism; or  
6 (3) knowingly or intentionally confers, offers to confer, or  
7 agrees to confer property, the acceptance of which violates  
8 subdivision (1) or (2);  
9 commits commercial bribery, a Class A misdemeanor. However,  
10 the offense is a Class D felony if the fair market value of the  
11 property is more than two thousand five hundred dollars (\$2,500).  
12 SECTION 2. [EFFECTIVE JULY 1, 2004] IC 35-43-5.5, as added  
13 by this act, applies to acts committed after June 30, 2004.

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